

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

FEB 20 AM 10:51
U.S. DISTRICT COURT
N.D. OF ALABAMA

WILLIAM OMUNA,

Petitioner,

v.

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent.

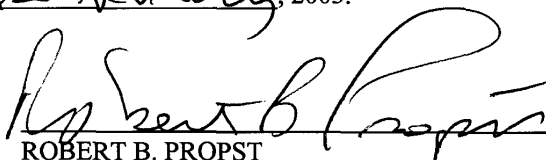
CIVIL ACTION NO. 02-PT-1379-M

ENTERED
FEB 20 2003

MEMORANDUM OF OPINION

On January 27, 2003, an order was entered ordering the petitioner to submit any response within ten (10) days as to why this matter should not be dismissed premised on the previous litigation in the Northern District of Georgia and addressing whether *Zadvydys v. Davis*, 533 U.S. 678, 121 S. Ct. 2491, 150 L. Ed. 2d 653 (2001), does not apply in light of the fact that the petitioner does not allege that his native country will not accept his return. The petitioner has failed to respond. This action is, therefore, dismissed without prejudice due to the petitioner's failure to comply. An appropriate order will be entered.

DONE, this 20TH day of February, 2003.


ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE

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